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UNITED STATES PRETRIAL SERVICES AGENCY
Eastern District of New York

Docketing
BROOKLYN OFFICE

MEMORANDUM

RECEIVED
In Chambers of
U.S. District Judge
SANDRA L. TOWNES

JAN 25 2008

DATE: January 25, 2008
TO: Honorable Sandra L. Townes
U.S. District Judge
RE: David Brown
07 CR 168
Status Update

The above referenced defendant was arrested on December 7, 2006 and charged with Conspiracy to Possess and Distribute Crack Cocaine. The following day, he appeared before U.S. Magistrate Judge Robert M. Levy for his initial appearance and a permanent order of detention was issued. On May 11, 2007, the defendant appeared before U.S. Magistrate Judge Viktor V. Pohorelsky and pleaded guilty to Conspiracy to Distribute and Possess with Intent to Distribute Cocaine. After the guilty plea, Magistrate Judge Pohorelsky released the defendant on a \$200,000 unsecured bond co-signed by three sureties. In addition, the following release conditions were imposed:

- no contact with co-defendants and witnesses
- surrender all travel documents and do not apply for a new passport
- report to Pretrial Services as directed
- random home visits
- home detention with electronic monitoring except permitted out for court appearances, attorney visits, medical emergencies and employment
- random drug testing and treatment

After the defendant's release, he consistently reported in-person as directed. In July 2007, Mr. Brown obtained work as a manager at a Gap Clothing Store and in September 2007, he obtained a second job, also as a manager, at Rite Aide. However, in October 2007, he quit his job at the Gap Clothing Store due to conflicts with the work schedule. The defendant has provided paystubs as proof of employment and on December 28, 2007, the undersigned officer conducted an employment visit.

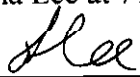
This memorandum is submitted to advise Your Honor that on January 20, 2008, the defendant left his residence due to problems with his wife and he relocated to 899 Montgomery Street, Brooklyn, New York. On January 21, 2008, a domestic violence incident report was filed which states that there was a verbal dispute regarding a computer that Mr. Brown wanted to take to his new residence. The report also noted that the defendant's wife, Annessai Brown, wished to obtain an order of protection. Mrs. Brown advised this office that on January 21st, she was home with their three children and her sister trying to pack when the defendant returned and threatened to kick down the door. She stated that she did not want a broken door so she let him in. He proceeded to pack his personal belongings and tried to take the family computer. She indicated that she did not want him to take the computer as their daughters use

it, which led to an argument. She informed that her sister called the police because there is a history of domestic violence. The defendant's wife indicated that the police did not arrest him and that she obtained an order of protection from family court, which will be served to him in the near future. The defendant explained that he was breaking up with his wife and was trying to leave her when she became upset. Due to the defendant's wife's statements that there is a history of domestic violence, the defendant has not been allowed to work as he was instructed by this office to remain home pending a hearing before Your Honor.

At this time, Pretrial Services respectfully requests that a hearing be held as soon as possible to address the above domestic issue. Defense counsel Robert M. Beecher and AUSA Jack Dennehy have been advised of the above situation.

If Your Honor determines that this request is appropriate, attached is a Court Order for Your Honor's signature. Should Your Honor require any additional information, please feel free to contact Officer Anna Lee at 718-613-2501.

Prepared by:



Anna Lee

U.S. Pretrial Services Officer

Approved by:



Andrew Prozeller

Supervising Pretrial Services Officer

It is the Order of the Court that:

No action at this time.

So Ordered,

January 25, 2008
Date

cc: Defense Counsel Robert M. Beecher
AUSA Jack Dennehy